



Docket No.: 215504US6PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

GREGORY J. MAIER
(703) 413-3000
GMAIER@OBLON.COM

RAYMOND F. CARDILLO, JR.
(703) 413-3000
RCARDILLO@OBLON.COM

RE: Application Serial No.: 09/926,415
Applicants: Bruno GIBELLO
RCE Filed: March 6, 2005
For: PRODUCTION METHOD WITH BREAKAGE
DETECTION FOR A THREAD
Group Art Unit: 1731
Examiner: HOFFMAN, JOHN M.

SIR:


Attached hereto for filing are the following papers:

**RESPONSE, COPY OF FILED CORRECTED APPEAL BRIEF W/APPENDICES
AND COPY OF DATE-STAMPED FILING RECEIPT**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier

Registration No. 25,599

Attorney of Record

Raymond F. Cardillo, Jr.

Registration No. 40,440

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

DOCKET NO: 215504US6PCT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
BRUNO GIBELLO : EXAMINER: HOFFMAN, J.M.
SERIAL NO: 09/926,415 :
RCE FILED: MARCH 16, 2005 : GROUP ART UNIT: 1731
FOR: PRODUCTION METHOD WITH :
BREAKAGE DETECTION FOR A
THREAD

RESPONSE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant notes that the communication dated August 14, 2006, indicates that the Interview Summary (with apparent reference to the Notice of Recordation of the Substance of an Interview filed July 19, 2006) provided on 7/19/2006 is deemed improper because it fails to name the representative who participated in the interview. The name of the Applicant's representative was Nikolaus P. Schibli.

This notice further suggests that the Substance of the Interview submitted on July 19, 2006 was somehow incomplete as not including "a complete summary of the interview that occurred between Applicant's representative and Steven Griffin on or around 7/14/2006."

This last point is not well taken as Applicant has received no "Interview Summary" from the PTO documenting that any such interview with "Steven Griffin" occurred "on or around 7/14/2006," and no indication of any such interview is contained in Applicant's file. Moreover, Mr. Schibli is no longer a member of this firm representing Applicant.

Accordingly, Applicant cannot submit a summary of an interview that occurred between one of Applicant's representatives and Steven Griffin on or around 7/14/2006 as no record of such an interview exists.

Applicant further notes that the fact remains that a corrected Appeal Brief was filed on March 23, 2006, and that the Notice of the Non-Compliant Appeal Brief mailed April 7, 2006, did not address this corrected Appeal Brief. Instead, it was a second Notice addressing the Appeal Brief filed March 3, 2006. This should be clear from a brief review of the Notice and the enclosed copy of the corrected Appeal Brief of March 23, 2006, enclosed herewith.

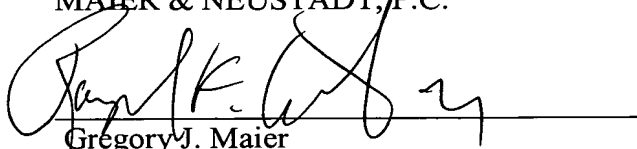
Accordingly, Applicant requests that the improper Notice of Non-Compliant Appeal Brief mailed April 7, 2006 be withdrawn. Applicant further submits that the corrected Appeal Brief filed March 23, 2006, is overdue for the two month response period by the PTO for mailing an Examiner's Answer as noted in MPEP §1207.02. In this regard, it is now almost five months since the filing of the corrected Brief on March 23, 2006, and no Examiner's Answer has been forth coming. As the Examiner's Answer is already almost three months late, it is hoped that this will be the next communication from the USPTO.

Application No. 09/926,415
Reply to the Communication Mailed 08/14/06

If there are any further requirements either as to recordation of interviews or Appeal Brief correction, Applicants request the courtesy of a telephone call at the below indicated telephone number to the below indicated representative, Raymond F. Cardillo, Jr., so that these matters can be personally discussed and clarified.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read 'Gregory J. Maier', is written over a horizontal line.

Gregory J. Maier
Attorney of Record
Registration No. 25,599

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Raymond F. Cardillo, Jr.
Registration No. 40,440

I:\ATTY\RFC\21\215504.RESPONSE TO COMM..DOC